

**CLERK'S SUMMARY AND OFFICIAL MINUTES
MAYOR'S MENTAL HEALTH TASK FORCE
MENTAL HEALTH DIVERSION
SUBCOMMITTEE MEETING
JULY 19, 2006**

The Mental Health Diversion Facility Subcommittee of the Miami-Dade County Mayor's Mental Health Task Force (MMHTF) met in the Stephen P. Clark Government Center, Conference Room 18-2, 111 N.W. First Street, Miami, Florida at 10:00 a.m. on July 19, 2006, there being present Co-Chair Jack Lowell and Co-Chair Miami-Dade County Commissioner Natacha Seijas, District 13 and Subcommittee participants Honorable Steve Leifman, Associate Administrative Judge, Eleventh Judicial Circuit of Florida; Miami-Dade County Manager George Burgess; Mr. Mark Buchbinder, Alliance for Human Services; Mr. David Raymond, Miami-Dade County Homeless Trust; Assistant County Attorney Valda Clark Christian; Ms. Sheila Siddiqui, Miami-Dade County Corrections and Rehabilitation Department; Mr. Michael Lederberg, Miami-Dade Public Defenders Office; Mr. Leland Salomon, Miami-Dade County General Services Administration; Ms. Alina Perez-Sheppe, Administrative Office of the Court; Mr. Steven Poole, Florida Department of Children and Families; Mr. John Kowal, Jail Diversion Program; Ms. Deidre Bethel, Jackson Health System; Mr. Tim Coffey, Assistant Mental Health Project Coordinator, Eleventh Judicial Circuit Criminal Mental Health Project; Ms. Claudine Richard, Community Health of South Dade; Mr. Wayne Sutton, Miami-Dade County Public Works; Mr. George Navarrete, Miami-Dade County Office of Capital Improvement General Obligation Bond (GOB); Mr. Eduardo Astigarraga, Miami-Dade Corrections and Rehabilitation; Mr. Anthony Dawsey, Miami-Dade Corrections and Rehabilitation; Ms. Jennifer Glazer-Moon, Office of Strategic Business Management (OSBM).

The following staff members from the Office of the Mayor were present Mr. Richard Benitez, Mayor's Office; Ms. Karen Leonard, Clerk of the Mayor's Office; Mr. Nelson Diaz, Clerk of the Board.

I. Welcome and Introductions

Co-Chair Lowell called the meeting to order at 10:19 a.m. He requested Subcommittee members and other participants present at today's meeting introduce themselves for the record.

Mr. Lowell recognized an article written by Judge Leifman that appeared in the Miami Herald, and noted how eloquent and relevant it was to the subcommittee's discussions.

It was moved by Judge Leifman that the March 29, 2006 minutes of the Mayor's Mental Health Task Force Diversion Facility Subcommittee be approved. This motion was seconded by Mr. Buchbinder, and upon being put to a vote, passed unanimously by those members present.

II. Summary of Meeting with Secretary Hadi

Co-Chair Lowell noted that the meeting with the Secretary of the Florida Department of Children and Families, Lucy Hadi, and her staff was productive and that the subcommittee was ready to

move forward with finalizing an agreement to acquire the property currently occupied by South Florida Evaluation and Treatment Center (SFETC). Mr. Lowell asked Judge Leifman to provide a summary of this meeting.

Judge Leifman noted that based on the negotiations with the State, the County will be able to acquire the facility for somewhere between 10 and 12 million dollars, leaving enough money left to refurbish the building for the purposes of the diversion facility. He noted that the State is developing a new sex offender treatment program, and plans to use the revenues from the sale of SFETC to fund a new facility. SFETC cannot be used for this purpose. Judge Leifman emphasized the need to secure funding for services at the facility, and indicated the meeting with Secretary Hadi involved discussions of the State's willingness to fund for treatment services as well.

Judge Leifman noted that the State was supportive of expediting the process of transferring ownership of the property to the County, and had recommended that the transaction be completed by the end of the year. He noted that the Subcommittee members had a lot of work to do to accomplish this. He noted that the County would need to complete all local preparations to be placed on the State's October/November TIFF Agenda. He further noted that the County's proposal needed to be ready by September. Judge Leifman expressed confidence in working with the State on this transaction, noting that the meeting with DCF in Tallahassee was extremely productive.

Responding to Mr. Salomon's question regarding who would operate/manage the facility once it was purchased, Judge Leifman said that the details regarding that would be worked out in the next few months. Co-Chair Lowell noted that the State's preference is that the County operates the facility, and noted the need for the subcommittee to develop an operating budget.

In response to Mr. Salomon's question as to whether the subcommittee had a copy of the State's operating budget for the facility, Judge Leifman noted that they did; however, the State's operating budget was much higher than what the County's budget will be, primarily because of costs associated with providing a high level of security throughout the building. Judge Leifman noted that although the State's budget is inflated relative to the County's anticipated costs, it is something to start with as a guide. He reminded the subcommittee that the idea is for program space within the facility to be leased out to community-based providers thereby offsetting some of the County's operating costs.

Co-Chair Lowell noted that the current record of appraised value from the State was 19.1 million dollars for the facility. To significantly reduce the cost of the building it was recommended that deed restrictions on the property for the intended use would be needed. He also noted that it was time to formulate an actual proposal to the State for the purchase of the property.

Co-Chair Lowell mentioned that he had a memo to Attorney Hugo Benitez and others involved regarding the title search for the property. He noted the subcommittee needed a copy of the deed from the City of Miami to the Trustees to ensure there were no reversion clauses and he noted the need for a survey to be completed. He stated that he needed a copy of the existing sublease to understand the role and rights of tenant, Passageway Residences, and if there were any

impediments with that group who had a year ending lease in 2031. He noted that the lease had to be extinguished as part of this process.

In response to Co-Chair Lowell's question on what steps should be taken to order the survey on the property, Mr. Salomon offered to initiate the process. He noted that the copy of the lease was in the public records and he knew who to contact to get it if necessary.

Responding to Mr. Poole's comments that the documents were online at the State Lands website and he could obtain copy, Mr. Lowell noted that they would need to circulate copies to some of the subcommittee members to review quickly. He questioned whether the County procedures accepted a draft or formal contract offer for the purchase of the property.

Mr. Salomon noted that an informal process had been acceptable in the past and he would draft a letter of intent and clarify specific information regarding the budget. Following the County Manager's Office approval, the item must be presented before the Board of County Commissioners for approval.

Mr. Salomon noted that they would have to submit these documents to the Infrastructure and Land Use Committee (INLUC).

Responding to Co-Chair Lowell's question whether those subcommittees were meeting in August, Mr. Navarrete noted that INLUC had a meeting scheduled for August 29, 2006 and the deadline to submit agenda items would be August 15, 2006.

Mr. Salomon noted that the item could be prepared quickly; however, the process would take time. Ms. Glazer-Moon stated that the Manager had ratification authority and they should speak to him whether this item could be included in the ratification package.

Responding to Co-Chair Lowell's question whether the document could be drafted quickly to present to the Manager's office, Mr. Salomon noted that he would expedite the draft; however, he would need to speak with someone from the State with authority regarding negotiating the purchase of the building and the terms/conditions of the agreement. Co-Chair Lowell noted that the contact person in the State was Mr. Scott Woolam, who was in attendance at the meeting in Tallahassee.

Mr. Buchbinder noted that the negotiations involved more than a real estate settlement and he questioned how the subcommittee would be assured, with the pending changes in Tallahassee, that funding for services would be provided and not be based on available resources which the State usually included in their agreements.

Mr. Lowell noted that if the agencies and the current administration were comfortable with the agreement and the agreement could be processed before January, then Secretary Hadi had enough credibility with the Governor and the Cabinet to ensure that it would be passed.

Mr. Buchbinder noted that they discussed the feasibility of the State providing services which would require funds and he questioned how to ensure the length of time these services would be provided and how would it be funded.

Judge Leifman noted that nothing was definite; however, they would attempt to structure the payment of the building to ensure they received what was promised. He noted he was confident that the State would fulfill their agreement because the proposed facility would serve the critical need of diverting people from the State hospital system which would result in substantial savings to the State.

Judge Leifman noted that the agreement would be structured to the best of their ability but the Legislature had authority and Secretary Hadi would have it in her budget with the Governor's approval. He stated confidence that the transaction was a good deal and the County would receive some services in exchange for the negotiated purchase price.

Co-Chair Lowell acknowledged the presence of County Manager Burgess and he questioned whether he had sufficient information regarding the facility transaction.

Mr. Burgess noted that he was getting up to speed regarding the details and timeframes of what was needed to secure the building.

Co-Chair Lowell noted the subcommittee's intention was to make an offer of terms with a proposed price to the State for the purchase of the proposed diversion facility. He noted the urgency of this matter extended from State's request that the acquisition be finalized by the end of this year. He stated that the offered price would be a minimum amount with terms involving County ownership and operation of the facility. From the County's prospective, he noted the need for a County budget including funded operations to help determine the amount of money to offer for the purchase of the property.

Co-Chair Lowell noted that the State was amenable to a negotiating a reduced price, and suggested that deed restrictions on the land use would be a good way to substantially lower the sale price.

In response to County Manager Burgess's question regarding whom they met with from the State, Judge Leifman noted that they met with Secretary Hadi from DCF and several members of her staff, along with Mr. Scott Woolam, Chief of Public Land Administration, State Land Division of the Department of Environmental Protection. He noted that they were confident the transaction would be completed by the end of the year and it was dependent upon a Cabinet decision. He also noted that the State needed revenue to build a sex offender treatment facility and they would accept cash for the building at a reduced rate and in exchange they would provide services. Judge Leifman noted that this transaction would result in substantial savings to the State by reducing the number of individuals entering the State forensic mental health and prison systems.

In response to County Manager Burgess's question regarding the length of time before the State's new forensic treatment facility would be ready, Judge Leifman noted that it would not be

completed until sometime in early 2008; however access into the building was not their biggest concern. They wanted something final by September to complete the transaction by the end of the year, while the current State administration is still in place.

Mr. Lowell noted that the County would take occupancy of the building at the time it was vacated by the State.

Ms. Glazer-Moon questioned whether the State would continue as owner and operator of the facility until it is vacated.

Judge Leifman noted that while the County may take ownership of the property, the State would continue to fund the operations of the facility until it is vacated by GEO Care, the current operating entity contracted by the State.

Following the discussion, Judge Leifman noted that once the building was vacated and the County moved in, space would be leased to community-based providers to operate the short-term residential facility, the crisis stabilization unit, and other services.

Ms. Glazer-Moon questioned whether there was a programming of the building to determine how much space would be rented to other agencies and how much space would be operated by the County.

Mr. Lowell noted that in general terms the focus had to be on parceling the building by operation and developing budgetary numbers that the County and State could work with.

Mr. Raymond noted that they should not be responsible for the facility in its current operation and he questioned what the liabilities were. He noted that the transaction should not be finalized until the facility was vacated. He also noted that other General Obligation Bond (GOB) funded projects required two appraisals from the County Appraisers pool and the process involved the approval of the Board of County Commissioners, and asked if the same procedures were required of this project.

Mr. Salomon noted that, from the GSA standpoint, they could use the State's appraisal and they could process another one relatively quickly.

Responding to Mr. Raymond's question regarding whether they needed the approval of the Board of County Commissioners, Mr. Salomon stated that they only needed the approval for the purchase of property and not for the appraisal.

Following discussion regarding the process to acquire the proposed diversion facility, Mr. Navarrete noted that INLUC would be meeting on August 29, 2006 and this item should be presented for approval.

Mr. Kowal questioned whether there was a plan to continue the work of assisting people with mental illnesses after the purchase of the building.

Judge Leifman referred to the meeting with the Secretary Hadi and their agreement to work together to serve people with mental illnesses through the proposed facility. He noted that provision of a seamless continuum of care for people served by the facility, to include access to residential treatment services and follow-up case management services would continue as a part of the plan and vision. He noted that the Task Force would need to determine who would oversee this project to ensure the vision was accomplished and they would need to discuss and develop the follow-up action plan.

Discussion ensued among subcommittee members regarding the timelines and the procedures of getting required approvals from designated subcommittees to acquire the building. The document would be drafted by Mr. Salomon and be submitted to the INLUC Subcommittee which is chaired by Commissioner Seijas on August 29, 2006 and the Internal Management and Fiscal Responsibility Committee (IMFRC) meeting, chaired by Commissioner Barriero, would be meeting on August 31, 2006. Mr. Salomon also recommended that the documents go through the Citizen's Advisory Committee (CAC) of the Building Better Communities GOB Program that was meeting on August 24, 2006. He noted that the CAC consisted of 21 members chaired by Ms. Robin Reiter.

Responding to Mr. Raymond's general question regarding the GOB projects whether approval had to come from both of those committees and then forwarded to the BCC to obtain any property through the GOB Program, Mr. Navarrete said that was correct; however, both committees were meeting the same week.

County Manager Burgess noted his uncertainty that all of the GOB items needed to be presented to the two committees. Mr. Navarrete noted his understanding was that all items were submitted to the INLUC.

County Manager Burgess noted that if this proposal had to be presented to two committees that it was better than going to one and the more people engaged and aware of the project would make it easier when it was presented to the full board.

Responding to Co-chair Lowell suggestion to commit to doing the appraisals now, Mr. Salomon noted that he was hopeful to have an appraisal within 30 days.

Mr. Poole noted the possibility that the State's appraisal came from several appraisals, Mr. Salomon said he would investigate what the State had, and determine whether it would satisfy their requirements.

Co-Chair Lowell addressed the issue of developing an operating budget.

Mr. Salomon noted that GSA would work on developing a portion of the budget pertaining to the real estate and he would contact Mr. Jerry Hall, Director of Facilities Management Division of GSA and get him involved.

Judge Leifman noted that the subcommittee would need to know the estimated expenses to upgrade the facility. He noted that a consultant previously retained by the Subcommittee

provided an idea of the type of renovations needed; however, the subcommittee had not developed a budget to cover those expenses. He emphasized the need to make sure the County has sufficient funds to renovate the building as needed.

Responding to Co-Chair Lowell's comments regarding the acquisition process and due diligence concerning the condition of the property, Mr. Salomon noted that the physical analysis of the building was complete; however, he questioned what the next move was until they occupied the building. He noted that he would like to receive a written report from Dr. Joel Dvoskin, consultant for specific suggestions/recommendations he would like to see accomplished with the physical plan. Mr. Salomon also noted his expectations of not implementing any remodeling until the building was purchased.

Co-Chair Lowell noted the lease arrangement between DCF and GEO Care, the current operator of the facility, required them to maintain the building with conditions that he had not seen before and they were subject to be charged for any deficiencies found. He noted if the condition of the building was not found 100% sufficient they had the ability to request the State to recoup from the current operator any expenses to repair damages. He pointed out that they had good protection if this was incorporated in their documentation. Co-Chair Lowell noted that they had some informal discussions with Dr. Dvoskin regarding renovations to the building and it was recommended that the subcommittee develop more concrete plans for the kinds of services to be incorporated into the facility prior to the development of written recommendations.

Judge Leifman noted that the subcommittee was prepared to advise the consultant of the services they wanted and he would provide them with the report. He suggested that the subcommittee make it more formalized now.

Following discussion regarding the level of care and other details that need to be determined based on the suggestions from the consultant; Judge Leifman noted that the State requested the local DCF district office to provide an operating budget for their services. This information has been submitted to Tallahassee.

Co-Chair Lowell questioned whether further discussion was needed regarding the relocation and development of Camillus House and possible overlap in services with the proposed facility. Judge Leifman said he received a request to meet with Dr. Ahr from Camillus House as soon as possible. He noted there had been some discussion with Camillus House around providing respite beds with case management services for individuals not meeting criteria for CSU or SRT services.

Co-Chair Lowell noted that he was scheduled to attend a meeting later in the day with representatives from Camillus House and he would inquire about programming for the new facility.

Discussion ensued among subcommittee members regarding the need to meet with the Department of Corrections around their role and responsibility in the proposed facility. Judge Leifman noted the need to determine Corrections' operating costs which would be need to be included in the County budget.

Mr. Lederberg noted that according to State regulations the SRT's are considered community based facilities that are open for voluntary admission with unlocked doors. He questioned whether there was discussion within the subcommittee regarding how to handle voluntary versus involuntary admissions.

Following the discussion regarding State regulations, Co-Chair Lowell noted that the subcommittee was ready to develop some programmatic definitions for the building and to begin developing budget breakdowns.

In response to Co-Chair Lowell's question regarding who would follow-up with the consultant regarding his recommendations, Mr. Coffey agreed to work with him and develop a draft of those services allocating building space and he would circulate it and request the designated parties to develop their respective operating budget.

Mr. Lederberg referred back to Judge Leifman's comments regarding the local DCF district office developing a budget. He noted that an Involuntary Outpatient Placement Subcommittee meeting of the Mental Health Task Force was held last week, and that funding and service recommendations were being updated. He also noted that in terms of the focus on jail populations, the IOP Subcommittee was recommending that new services be available to anyone with a serious mental health illness in the community, and not just those who are arrested. Mr. Lederberg noted that a new version of the proposed budget would be included in the IOP Subcommittee's final recommendations.

In response to Co-Chair Lowell's request that Mr. Lederberg present the information when it has been solidified, Mr. Lederberg noted that DCF was working on drafting the proposal to incorporate the changes which included a revised budget.

Responding to Mr. Lederberg's request for clarification that Passageway Residences subleased land from the State facility, Co-Chair Lowell noted a reference in the title material that the County Attorney provided regarding an existing lease with Passageway. He was unaware of what the sublease incorporated. Mr. Lowell noted that he had asked to review a copy of the documents which may only involve a part of the property. He noted that they needed to carefully review the document with the legal description to determine whether Passageway was on property they needed so not to include it in the legal description of the property to be purchased from the State.

In response to a question raised by County Manager Burgess as to whether a business plan/service model had been formulated to describe facility operations and scope of services, Co-Chair Lowell stated that the subcommittee was working on these materials at this time.

Judge Leifman noted that a draft project overview had been developed, and that a copy could be provided to Mr. Burgess.

Mr. Raymond noted that Camillus House would likely be in need of additional funding to complete their expansion and relocation, and requested that, should excess funds remain following completion of the development of the mental health diversion facility, that they be

contributed to Camillus House as they would be serving many of the same functions and individuals as the diversion facility.

Mr. Lowell questioned whether Camillus House's capital budget had a gap in it and, if so, how much the gap was. Mr. Raymond said there was a gap and they were in the process of determining the amount.

County Manager Burgess noted the cost of the structure for the new Camillus House facility would be more than \$10 million, and that some of the revenue would be funded by the private sector. He noted that Camillus House was making progress in assembling different funding resources that he was hopeful would add up to something approaching \$10 million.

Co-Chair Lowell addressed Mr. Raymond's request by stating that in the event that there are excess funds available upon completion of the diversion facility, this body may consider recommending allocating funds to Camillus House in exchange for an agreement to access services in the new Camillus House facility.